

Pyramid Lake Paiute Tribal Council

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REGULAR MEETING MINUTES

Tribal Chambers ~ Nixon, NV

December 2, 2022

Members Present:

Janet Davis, Tribal Chairwoman
Harriet Brady, Councilmember
Edward Ely, Councilmember
John Guerrero, Councilmember
James Phoenix, Councilmember

Steven Wadsworth, Vice Chairman
Judith Davis, Councilmember
Natalia Gonzales, Councilmember
Della John, Councilmember

Member Absent: Janet Davis, Tribal Chairwoman

Note: This meeting was in-person but zoom conferencing was an option for presenters and audience.

CALL TO ORDER

Vice Chairman Wadsworth called the December 2, 2022, Regular Tribal Council meeting of the Pyramid Lake Paiute Tribal Council to order at 5:31 p.m. *Chairwoman Davis was on Travel Status to the Tribal Nations Summit in Washington D.C.*

ROLL CALL

Brenda A. Henry, Tribal Council Secretary, took roll call. Councilmember Dunn arrived at 6:43 p.m. Council and Councilmember Guerrero connected at 7:07 p.m. via zoom but did not participate in voting. Chairwoman Davis was absent All other Councilmembers were present at roll call and a quorum was established for this meeting.

APPROVAL OF AGENDA

Councilmember Davis motioned to *approve the agenda*. Seconded by Councilmember Ely. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

EXECUTIVE SESSION (JOM Interviews)

Councilmember Davis motioned to *move into Executive Session*. Seconded by Councilmember Brady. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**. *Tribal Council moved into Executive Session at 5:34 p.m.*

Councilmember Ely excused himself from the Executive Session due to a conflict with an interview candidate.

Councilmember Brady motioned to *move out of Executive Session*. Seconded by Councilmember Gonzales. Votes were five (5) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**. Tribal Council moved out of Executive Session at 6:39 p.m.

Councilmember Ely returned to his Council seat at 6:40 p.m.

PUBLIC COMMENT. No public comment.

CONSENT AGENDA

Following items were included on the Consent Agenda:

1. Approval of Minutes: July 1, 2022 Regular & November 4, 2022 Regular
2. Approval Quarles & Brady LLP October 2022 Invoice #6543482
3. Approval Enrollment Applications (8) – Regular Membership with Resolution

Councilmember Brady requested to pull #1 for discussion.

Councilmember Davis motioned to *approve the Consent Agenda with exception of item #1*. Seconded by Councilmember Brady. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (Dunn). **MOTION PASSED. RESOLUTION NO.: PL 136-22 ENROLLMENT – REGULAR MEMBERSHIP (8)**

Councilmember Brady said she sent forwarded an email to Council with her edits. There were no suggestions from Council.

Councilmember Dunn arrived at 6:43 p.m.

Councilmember Brady motioned to *approve item #1 on the consent agenda*. Seconded by Councilmember Ely. Votes were six (6) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**.

PRESENTATION

1. Breakwater Update. Leilanai Wilson Walkush

Ms. Walkush provided an overview of the two trust funds that Pyramid Lake approved in 2018. The two trusts are the Economic Development Trust and the Economic Development Minors Trust.

There were 1,875 adults that were eligible to receive the distribution. There are 48 of those adults remaining who have not been paid. There is a deadline of six years to apply and they are coming up to that date in 2024. If those adults don't receive their distribution then it is forfeited and it goes back into the tribal account.

There were 1042 minors that were eligible for the distribution. All of those minors, those that were under 18 at the time in 2018, their money went into a minor's trust. Currently there are still 816 minors with balances. They have six years from the date they turn 18 to receive those funds. The minor's fund is split into four different age bands: 0-9, 10-12, 13-15 and 16-24. When the minor's turn 18, they can choose to either withdraw their funds or leave it to gain interest until age 24. The age bands are invested in diversified portfolios and the range of those investments change based on their age. The younger kids 0-9 have a more

aggressive portfolio then the older kids, the ones that are turning 18 and into adults can choose to leave their fund in or can take them out. Those accounts are more conservative.

Councilmember Davis stated the Tribe need to do their due diligence to locate and inform the 48 individuals who have not submitted for the initial distribution.

NEW BUSINESS

1. Request for Approval Request for Docket 87B funds for Burial Contracts with Resolution.

Tribal Secretary stated the funds will be withdrawn and placed in a Wells Fargo account, then transferred to the Burial Fund. Last requested withdrawal in May and have used all the funds, currently there are no burial contracts and only 2 cremations contracts remaining. When it comes to COVID reimbursements, one of the questions asked is if the death is related to COVID because some of the costs can be reimbursed. Currently the burial contracts from Ross, Burke and Knobel, which covers the majority of funeral homes in the area, run approximately \$6,000 with cremations a little less. This is a big discount considering the total cost without the given discounts is about \$10,000. Ross, Burke, and Knobel have been very accommodating to tribal members, they have driven by the lake and even stopped for the family.

Councilmember Ely motioned to *approve the request to submit for Docket 87B Burial Funds with Resolution*. Seconded by Councilmember Dunn. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 137-22 DOCKET 87B BURIAL FUNDS**

2. Request for Approval Certification of Primary Election Results, Certification of General Election Candidates and Approval of Final General Election Voter's List. Jolyn Sander, Election Board

Ms. Sander said the Primary Election was held on November 26th and there were no incidents. They had a total of 183 voters with two spoiled ballots and two unreadable ballots. The unreadable ballots were for people who marked two even though they were told several times and it stated on the ballot to mark one. The hand count went fine, there was no conflicts. The results of the Primary Election were: Janet Davis – 67 votes, Anthony Sampson – 34 votes and James Phoenix – 80 votes. Moving forward in the General Election will be Janet Davis and James Phoenix.

Since then they have added five new registered voters: Cynthia Christensen, Matthew Ruiz, Brandon KILLSBACK, Barbara Bennett and Amber Roy. There were two name changes. The new voters and name changes have been added to the updated voters list. There is now a total of 485 registered voters.

Councilmember Dunn motioned to *approve the 2022 Primary Election Results for the Tribal Chairperson: Janet Davis and James Phoenix*. Seconded by Councilmember Brady. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Ms. Sander read the candidates for the General Election.

For Chairman: Janet Davis and James Phoenix.

For Vice Chairman: Steven Wadsworth and Cassandra Darrough.

For Tribal Council: Georgina Wadsworth, Harriet Brady, Edward Ely, Genevieve John, Nathan Dunn, Lesley Hawley, Elizabeth Dini and Irwin Mix.

Councilmember Davis motioned to *approve the certification of the 2022 General Election Candidates*. Seconded by Councilmember Dunn. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Ms. Sander provided the names of the Pyramid Lake High School Board of Directors who will be added to the ballot for the 2022 General Election. Candidates are: Sherry Ely-Mendes, Mervin Wright Jr., Larisa Cawelti, Lance West and Carolyn Harry. These candidates don't need Council approval.

Request approval of the 2022 General Election Voter's List.

Councilmember John motioned to *approve the 2022 General Election Voter's List*. Seconded by Councilmember Dunn. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (Brady). **MOTION PASSED**

Councilmember Davis motioned to *approve the request to change the location of the 2022 General Election to the Tribal Chambers*. Seconded by Councilmember Brady. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (John). **MOTION PASSED**

Ms. Sander has been in contact with Terry Rainey, Automated Election Services, who will be onsite for the December 26th General Election, he will email her an invoice next week since he was on his way to another election in Arizona.

Councilmember Dunn said he thought the elections always occurred the Saturday after Christmas. Ms. Sander said Christmas is on Sunday this time and the Saturday would be New Years. It will be on a Monday since it's a holiday. Councilmember Gonzales was concerned not everyone gets it off. Ms. Sander said it was on the timeline that Council approved. Leona Collins said if you refer to the Constitution and ordinance it specifies the General Election will be held December 26th through the 30th. Karole McQueen agreed, the Constitution and By-Laws state, the election has to fall between December 26th and 30th. It's just weird this time.

Councilmember Davis motioned to *approve the 2022 General Election to be held in the Tribal Administration Chambers on December 26, 2022*. Seconded by Councilmember Brady. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (John). **MOTION PASSED**

Ms. Sander asked who is responsible for candidate's night. She was told it was not the Election Boards responsibility but she doesn't have a problem volunteering for it, it would be more of meet and greet, rather than sitting and asking questions.

Councilmember Davis said if this is going to happen, she would like to see this person volunteering as a personal outreach to the community and not as the Election Board because they need to keep that boundary.

Councilmember John said employees have to be neutral, can't be doing it on the clock per the personnel policies.

Councilmember Ely said have an open house, open building, open house.

3. Request for Approval for the Indigenous Community Center of Lawrence Kansas becoming a recognized Tribal Organization under PLPT with attached Proclamation. Robert Hicks

Mr. Hicks said they are the Indigenous Community Center (ICC) of Lawrence Kansas and are looking to discuss the possibility of their organization of becoming a recognized tribal organization under the Pyramid Lake Paiute Tribe. They are asking so they can apply for USDA grants as a tribal organization. It would increase their ability to advocate for Indigenous issues in their local community and surrounding area. They are a tribal member owned Limited Liability Corporation and their mission is to identify and support the needs and goals of the Lawrence Kansas Indigenous community through education and empowerment. Their vision for the center is to provide a place to engage and develop the spiritual, physical, emotional well-being, and growth for the betterment of the Indigenous community and to create understanding and relationships with the greater Lawrence community. They also serve as a MMIW Chapter in Lawrence in coalition with the Oklahoma and Texas Chapters in helping to solve Missing and Murdered Indigenous Women cases. One of their projects was to create curriculum for Indigenous food from their farm for youth to learn Indigenous food sovereignty practices, farming practices and techniques.

Councilmember Ely asked how many other tribes have they asked in approving this proclamation, one of his concerns would be liability for the Pyramid Lake Paiute Tribe. Mr. Hicks said this would be the first they presented it and a first for this type of model and for the grants, all legality would fall on them as an organization.

Councilmember Gonzales said her concern is also the legality since they are so far from Pyramid Lake and it would be difficult for them to oversee.

Councilmember Brady said in listening to the request to be placed under the Tribe's organizational chart, it sounds lopsided, everything is for them but what is the Tribe getting out of it.

D. Arlyn Bell said this is innovative, a new situation, it could provide research on nonprofits because she does research on enterprises and nonprofit organizations. They can share guides and educational material that they created, the Tribe will have access to any of the intellectual property.

Councilmember Brady said it seems like there is duplication of services where they talk about putting people up in shelters, she would like to see more services here.

Councilmember Davis said before they go any further they need to have legal counsel review this and see what the liability would be for the Tribe, and making sure they are not approving anything that would jeopardize the Tribe's sovereignty.

Councilmember Davis motioned to *table and to forward to legal for review*. Seconded by Councilmember Dunn. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

4. Request for Approval Wes Williams 2023 Legal Counsel Contract.

Councilmember asked when is a good time a good time to seek out other counsel in case of other conflicts, just in case of other conflicts and options? Vice Chairman Wadsworth said it would be a good time before any of the legal contracts ended.

Councilmember Davis motioned to *approve the Wes Williams 2023 Legal Counsel Contract*. Seconded by Councilmember Ely. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

5. Request for Approval Gaming License Request. Norman Duncan

Mr. Duncan said he is requesting a gaming license and he is not building a casino. His idea is something simple like Wilber's Store, a couple of machines, his property is up in age, to be self-supporting for himself, and his animals. He was told in 2009 that with gaming 30% went to the Tribe.

Vice Chairman Wadsworth said he was on the gaming commission awhile back and it's 60% that goes to the Tribe. Something that is new is he will have to go through the Gaming Commission to get the license and follow the Gaming Ordinance. There has to be a background, a plan and you will need a tribal business license.

Mr. Duncan said he currently has a business license, it's active and he's had it since 2009. Vice Chairman Wadsworth said it would be a different type of license and would require bonding. Mr. Duncan said he has two bondings under his current license and in order to get the business license he needed insurance. He asked the Tribal Secretary and she didn't know what was required and being the Vice Chairman, he is taking his word on what he needs to do and he understands that and doesn't have a problem with it. He just needs a letter from Council to show the Gaming Commission that he's been approved for the gaming license before he could go forward and submit the paperwork to them. Vice Chairman Wadsworth said they don't approve the gaming license at their level, the Gaming Commission issues the gaming license.

Brenda Henry, Tribal Secretary, said she discovered the gaming license is a part of the Business Ordinance. Once Council gives the okay to move forward, he will have to coordinate with the Gaming Commission and the Business Office for the gaming license.

It was confirmed that Council is only approving Mr. Duncan to move forward to the Gaming Commission and Business Office for starting the process for a gaming license.

Councilmember Brady asked if he read the Tribe's Gaming Ordinance, if he knew what the requirements were.

Councilmember Brady read Section Seven - Gaming Facilities from the Gaming Ordinance. A. To ensure that the environment and the public safety and welfare are adequately protected, each gaming facility shall be constructed and maintained with applicable tribal and federal laws, including but not limited to fire codes, safety codes, and building codes. And then each gaming facility shall be subject to inspection to ensure compliance annually or on such basis as a tribal building inspector or if none, the Tribal Council or Gaming Commission determines necessary and appropriate.

Vice Chairman asked if he has gone through the Gaming Ordinance. Mr. Duncan said he has not, he was planning on putting a real building out there (on his assignment) with contractors with contractor licenses to ensure it's up to code with compliance of Pyramid Lake.

Jolyn Sander asked if he was planning on putting it on his land assignment because when it was approved it was for a home assignment. Mr. Duncan said it was for land and livestock and Ms. Sander told him at a later, if he developed it that he was eligible for land but then there was a moratorium put out after he got the land, so, he falls under grandfather law before the moratorium. Ms. Sander

said she is asking the question because his land assignment wasn't approved for that type of business yet. Mr. Duncan said they can't change the rules and laws of commercial and residential when they actually gave him the land.

Vice Chairman Wadsworth confirmed that what she is saying is his land assignment can only be used for what was listed on his application and if gaming wasn't listed and the first step would be to get it changed.

Mr. Duncan said he is applying for more land because he is running out of land for his livestock and the land he is applying for has nothing to do with the decision for a store and the machines.

Councilmember Dunn motioned to *approve the request to write a letter of support for a Gaming License to move forward to the Gaming Commission and Business Office*. Seconded by Councilmember Phoenix. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED**

Before moving on to the next agenda item, Mr. Duncan provided Council with a bottle of his stock of water from his ranch, marketed LLC, on the Tribe and the State and it's in the stores already.

Ms. Sander asked if this was approved by Council? Mr. Duncan said he was giving it as a gift, it's in Dayton Stores.

6. Request for Approval Numaga Older Americans Act Title VI Part A & C Continuation Grant with Resolution. Carla Eben, Numaga Elder Program Director

Ms. Eben said she is applying for the Older Americans Act Elder Nutrition Services Program. It's a three-year grant from 2023 to 2026. She has been working with Gina Lowe on the grant process, they just need a resolution and Council approval.

Councilmember Dunn motioned to *approve the submission for the Older Americans Act Title VI Part A & C Continuation Grant with Resolution*. Seconded by Councilmember Brady. Votes were seven (7) **for** and zero (0) **opposed** with zero (0) **abstentions**. **MOTION PASSED. RESOLUTION NO.: PL 138-22 OLDER AMERICANS ACT CONTINUATION GRANT**

Ms. Sander said Mr. Duncan is selling the water in the Dayton Stores, the water is coming off the reservation, was it approved by Council? (couple of no responses) It shouldn't matter if it's in the past, or whether the Tribe's name is on or not, he is still taking resources off the reservation. Of course, his water is fresh and clean and different than what the residential water is because he is right on that stream so the water is fresh off the mountain.

7. For Discussion/Action Pyramid Lake Health Clinic Status. Dawna Brown, Pyramid Lake Health Clinic Director

Ms. Brown was before Council as directive that was given to Chairwoman Davis to Ms. Brown to have the Pyramid Lake Health Clinic fully open to patients in the building by January 3, 2023.

Vice Chairman Wadsworth asked what the director's thoughts were, if she needed assistance, said he tried to attend the last Health Board meeting but understood they had to reschedule.

Ms. Brown said she responded to Chairwoman Davis because that is who the directive came from, she didn't know she was to respond to Tribal Council. Vice Chairman said the directive went to Ms. Brown and cc'd himself and the Tribal Secretary. It was privileged information to the Health Director.

Ms. Brown said she responded back to email and stated the Health Board had already directed them to do a demobilization which they already had in place. They had a plan ready and they are just going to accelerate the plan to meet the timeline. She received the directive, accepted the directive, there is no dispute. They are going to accelerate their plan that was already in place.

Councilmember Brady said she would like to know on behalf of the membership for her to fully explain why the clinic is not open when all the other tribal clinics are open, totally open at 100% people walking in.

Ms. Brown said each clinic is different. She talked to Reno-Sparks, if you have seen the waiting room at the Reno-Sparks clinic, it's four times the size of our clinic. Talking with the director, they have had to close to take out their furniture and now they are closed to redo their floors. There are different things with different clinics and different facilities, the way they are built, and the way they are set up. The only thing you can't do at our clinic is just walk in the doors but you can be seen for medical, optical, dental, labs, chiropractor, every clinic within the facility.

Councilmember Brady said she has heard from their representatives that they were able to see more people pre-COVID and she doesn't understand how that is possible. Ms. Brown said she doesn't either, patients choose to show up when they show up and they choose not to when they don't. She doesn't know why the numbers have increased or decreased. It could be something happening at Reno-Sparks, they have seen an influx of patients from there. They are also seeing patients from McDermott and Fallon. They do everything for their patients and that is also one thing that will mess up their plans, dependent upon whether they show up or not. They have a lot of no shows, it can be fickle.

Councilmember Brady asked how do they account for patients, is it direct contact with people walking in? Ms. Brown said it is when the patients check in for their appointments, when they are physically there.

Councilmember Brady asked about the phone calls. Councilmember Gonzales explained she meant telehealth, because of COVID telehealth is promoted more now for patients because some people fear to go to the clinics and visit sites. Ms. Brown said why telehealth, because they are giving the patients the option to choose to have that option if they want and there are patients who want it. Councilmember Brady said she wasn't offered that option but she received a phone call and it was from a provider and she doesn't think it's a patient's choice.

Councilmember Ely said he is in agreement that it should be fully open and he understands there is a difference of opinion of fully open. His opinion would be to remove the guard shack and open the waiting room. If you do have someone that has COVID symptoms, they wait outside and they are tested there. What is the staff's plan for being fully open?

Ms. Brown said by Council's definition fully open is to open the front doors because other than that they do everything that they do all the time. The guard shack is a check-in station, it's to help to direct patients to where they need to go. In their plan, they would screen the patient, the patient would get their call for their appointment, if they are self-attesting for any symptoms then they have a plan on how that is going to work, they can either choose to wait in their car, since the waiting room is so

small, how do they separate the ones who say they have symptoms from others who don't have symptoms, it's just a small space to put everybody in. They have had comments that say when they go to see their eye doctor in Reno they don't have restrictions, well for one it's one specialty, at the clinic you will have people who are there for dental or medical, all coughing in one small space. In the wintertime or flu season they have whole families that come in, grandmas come in with four grandkids, hey don't get just one person coming in. They are going to try and use the little area where you first come into the building and the rest of the waiting room area as a wet/dry waiting area, trying to separate people with more symptoms. This something they are trying to figure out, how to manage the bodies that are there. That is what they call their demobilization plan which is going to take place sooner than anticipated.

Councilmember Gonzales said the guard shack is a safety precaution for the clinic, in past experiences that have happened, it's safety for the staff as well. There is a process on how they call your name, they check you in, they know you are coming, you're told where to park, there is a plan, there is setup, and it's structured. Telemedicine is big with a lot of companies; a lot of health insurances are promoting telemedicine to different patients and organizations to use for people that don't want to go meet with people when they are sick. At the Health Board, they stressed how are they going to implement people that are sick and not sick, how do they keep them healthy, they are not a big clinic, not like the colony where they have set separate areas. COVID is not over, people are still getting COVID, family members are out in the community now, they are not staying home.

Ms. Brown said bottom line they are not disagreeing or disputing, they are complying with it.

Councilmember Gonzales said they haven't seen the directive to the Health Director, she would have liked to see it, what was relayed to her. If it was such an important issue why was the directive given five days after?

Vice Chairman Wadsworth said he can't speak for the Chairwoman since she sent the directive by order of the Council, it would have to be something you would have to ask her.

Councilmember Davis asked there is a plan going forward, we are currently in December, they have one month, 30 days, can she tell them the plan?

Ms. Brown said the plan is basic, the biggest part is the waiting room, trying to figure out how they are going to keep people separated. They will have to install plexiglass but trying to figure out how they are going to do that. Angie Dunn has the check-in portion already situated. They already moved supplies out of the exam rooms and putting them in the Connexus. The rooms are open and available. They have three exam rooms that are ready and one pediatric room. The lab and pharmacy haven't changed.

Vice Chairman Wadsworth said one of his problems was the pharmacy to pick up medications. When you add up the hours, it's 23 hours a week which is not readily available for a pharmacy which used to be 36 hours. Is the plan still going to be closed for ½ days on Wednesdays?

Ms. Brown said it's always been closed ½ days to patients on Wednesdays, but they will fix it.

There was a question regarding the pods, are they permanent? It could be seen as misallocating, paying for them for two years instead of trying to find a vendor or making them permanently the Tribes.

Councilmember Davis said at the time you couldn't even buy a piece of plywood, they were priced so high.

Ms. Brown said there are pluses to the pods. The advantage was when someone who came in and tested positive, they only had to clean that pod, they didn't have to clean two or three rooms, a waiting room or anywhere else in the building depending on where that individual went. Each pod had a provider and a nurse assigned to it, they knew who was in that pod, who worked in there at the time and they quarantined it to just that one area. They plan on keeping the one big one but the rest will go back to Quick Space.

Councilmember Brady said she wanted to address the Sani-huts, which Ms. Brown said they no longer use, she had people tell her they had to use a Sani-hut for their urine sample, what was the provider's thoughts on that?

Ms. Brown said they were doing that when they first had to shut down that part of the lab but they gave them the option of going inside or using the Sani-huts. The Sani-huts were cleaned every week, they were not dirty. They were cleaned by the Marshal Septic but the nurses and housekeeping were cleaning on a daily basis. Everything they did the providers and nurses were included in all the decisions that were made.

Councilmember Brady said in the Health Charter, they are supposed to work with everybody on that, what is the documentation that she got their opinion on?

Ms. Brown said she can get the minutes from their meetings, their nurse provider meetings, provider meetings and safety meetings which includes their maintenance and housekeeping. They have staff meetings where they talk about all this that she can provide. How far does she want the meetings to go back?

Councilmember Brady said she went in for a follow-up appointment and was told by the provider that she was to go back in three months, her appointment was two days ago. She was also told to provide labs a week before her appointment. When she did get her appointment scheduled it was January 12th and her labs were scheduled for the following Monday, not the three months out. Ms. Brown asked if she disputed it and Councilmember Brady said she did and was told by a nurse that the dates were the same. Ms. Brown said she will go back to the provider and also talk to the nurse to follow-up to see what happened, if they told her three months, then it should be three months, not two or three weeks.

Councilmember Brady continued the pharmacy needs to be addressed because there is miscommunication there. When it's said she can't answer to why they are seeing more patients, as a director she should find out why, because if there is shortened hours with patients being seen maybe once every hour or two patients within each half hour that says something was going awry before COVID and they need to tighten up. She talked with people who said they don't want to document/write anything, it's like why bother, nothing is going to happen, they don't want to deal with it. In those patient satisfaction surveys, who got those? Ms. Brown said everyone who came to the clinic but they haven't done one in a couple of years but they are planning on doing one in 2023. Councilmember Brady said she received two in one day and they were due on November 30th. Ms. Brown said they also put them in the stores and in different places so it's just not on the bags, they are put out in the community.

Vice Chairman Wadsworth said these are important questions but they need to get back to the agenda item. He has written official complaints and Ms. Brown has responded to them. They need to be in writing and go through the process, there is an established process at the clinic. Back to the topic at hand, they have heard from the representatives on the Health Board, there is a plan, they haven't seen a draft, they are in the dark, if they can see the plan it would help them better understand.

Ms. Brown said according to their Health Charter, the Council established the Health Board to govern the clinic which means Council doesn't not get involved in the day to day operations of the Clinic, the Health Board gets involved in the governing. They don't get involved with personnel or "that kind of thing" with the clinic. They have a meeting that 's been rescheduled to Tuesday, December 6th, what they will do at that meeting as a staff is to go ahead and get the plan finalized and they will get it to the board so they can present it to Council.

It was asked from the audience, there is a Health Board appointed by Council but yet you are overriding the Health Board directives. Why have the board micromanaged? Vice Chairman Wadsworth said it's not a question of micromanaging at this point but that Council is in the dark, they have no answers.

Jolyn Sander said they do have Council representatives that sit on the Health Board, maybe these representatives should be taking these issues back to the clinic and say this plan needs to be put in writing. When Council set the second meeting of the month in place, the meetings were set up for the directors, managers, boards and committees to be present at these meetings so everyone knew what was going on. Now you don't see any directors present including the Executive Team who don't show up until it's their time to brief, maybe the meetings need to go back to this way to hold them accountable.

Councilmember Gonzales said there needs to be more collaboration, there is so much disconnect within the Tribe, between the departments, the directors, there is no collaboration at all. Everyone is on a different page, they have no clue what is happening. Even as the Health Board representatives, they were transparent, they have expressed it is going to come up with FEMA, uplifting the guidelines and restrictions that it's going to be said, to open, is to open the waiting room. In creating Executive Sessions all the time, where is the transparency? Everyone voted for transparency and when you have an Executive Session, where you talk about the directors, the personnel are not present, but when they are present you don't hear the same stuff. Get rid of the Executive Sessions, unless it's about personnel. How do they know what is happening, how are they to relay the information back if they are in Executive Session? That is her concern, it was mentioned they are in the dark, have they attended a Health Board meeting? And when Ms. Brown was present there was no mention on how or what was the plan going forward. When you were at the meeting you did not ask that question (not sure who she was addressing) but Councilmember Ely disagreed with it. Another thing was if you are going to provide patient notes for the meetings, need to make sure there is no patient information. More patients are getting sick, more people have health issues. They have a better dentist. Other tribes are reaching out to our clinic for dental services. The Pyramid Lake High School is using the Health Clinic more, there is more services being provided. That answers the question about seeing more patients. Collaboration, there is more RSV, kids are going into the hospital now, emergency rooms are full, flue, COVID, strep. Collaboration had to get better, there is a disconnect, there is no follow-up. Leaders in administration are supposed to help employees, you are supposed to help them grow and take those barriers out of the way and that is not happening. It's sad because that's what they are supposed to do. But then they yell at their directors on what's going on and there is no collaboration, there is no follow-up. If it's been such an important issue, five days that director came to her, two days the second working day, not the first working day, two days later at the end of

the day. That is unacceptable. Don't do Executive Sessions, work together, that's what they are supposed to do. How are they going to fix it, there is no much negative happening but how are they going to work together to help you guys.

Ms. Brown said the closest they came to collaboration is the Housing meetings, the Intradepartmental Collaboration meetings. Councilmember Ely said at one of the meetings he talked with directors from other departments and wondered why is Housing making the decisions as far as things they talk about lie the land leases, cars on properties, those type of things. Then trying to figure out how to collaborate within departments to get things done, things that have been bothering people and haven't been done. At one of the meetings she had mentioned that directors should not have to go to these meetings because they have to go or they were told to go, they should because of their position. The departments in attendance should be able to say how can I help with that, but it doesn't happen because they are in their own little silos and won't go anywhere or do anything until their supervisors tell them to but they need to figure out how to get out of that.

Leona Collins responded to Councilmember Gonzales comment about the shack providing security, she said it was there for safety, should your security person be there to provide safety?

Ms. Brown said it's not a safety or security, it's to coordinate the patient where they need to go.

Karen Shaw said she sits on the Health Board and brought this situation or her concern for the minutes to get to Council and she asks if the minutes were forwarded. She has been on the Health Board for two terms now and the minutes are their information at their level and Council needs to understand what happens at their meetings, what they are talking about, about what they have discussed, what they vote on, it's all in the minutes. The minutes are submitted with the check requests because they are getting stipends.

Councilmember Gonzales said that is an issue because some committees only provide an agenda.

Ms. Sander said if you expect every building/departments to be open then why are the director's meetings not back in person why are they still on zoom.

Vice Chairman Wadsworth said it has been brought up at Council level multiple times that it is just easier for the departments that are not in the area, that is per Chairwoman Davis.

Councilmember Gonzales said she would like to the directive that was sent to Ms. Brown so they are aware of what was relayed to the director that was voted on by Council.

Ms. Brown asked when Council gives a directive to them, don't they work that directive.

Councilmember Johns said she made the motion because of the reports saying it is still closed down. There were issues that came out and they didn't have a written plan, they knew there was one in place and there was a date of January 30th which was what their representatives told them, so they moved the date up because she was concerned about quality of care. They do the directive at Council level, they don't care how you do it because she is the department director, she decides how she is going to reopen, all the other stuff is things they need to work on. Their directive was they wanted it to be open with good quality of care so they can respond to people who ask them questions.

Ms. Brown was curious when Council gives a directive to the Chairman to whichever department, because they keep saying they don't know what's in the directive, if they help to word the directive.

Councilmember Davis clarified the verbiage of the directive wasn't given, just a date.

Councilmember Gonzales said when the motion was made she said they needed to be more specific because the clinic is open, so they needed to be specific on what they considered to be open when making the motion because it was so vague. She doesn't like being behind closed door and it's not good to criticize the clinic staff when they are out there not wearing masks because they don't criticize other personnel, you do what you want on your own time.

Councilmember Ely said that was discussed in closed session and should stay in closed session.

Vice Chairman Wadsworth reminded Council that was not in an open forum, for Council to keep it official. He asked Ms. Brown if there was anything Council can do to support them in making the January 3rd deadline. Ms. Brown said they are good, they have their directive, it's been received and accepted. They will follow-through with it.

Councilmember Brady said for the record the comment made by Councilmember Gonzales about Pyramid Lake High School is now starting to use the clinic more, they have always used the clinic, it's erroneous, it's giving a false impression to the community because PLHS has always used the clinic. In addition, to some of the comments that were now being said, there were a lot of things she said and Ms. Brown can attest, she said a lot of things and she didn't say anything else in that Executive Session that she has not stated in open session. The only thing she did say was don't twist her words.

Councilmember Gonzales said if she didn't ask Ms. Brown to be there because she is tired of being behind doors, they need to meet together, she needs to know what is going on, instead of complaining behind closed doors. It needs to be out in the open, because every time she came it hasn't been like that. Its very personal words like, everyone has their own right, you work for the Pyramid Lake Tribe, you do what you do on your own time, not going to criticize you if you don't wear a mask, or if you wear a mask. It doesn't make you a bad person, think it's unfair if they do start saying that to people. They have more students at PLHS, so how can you say that they are not using the clinic, they get COVID, they were getting COVID tested there all the time. The staff is using the resources they are providing mouth guards, different physicals if they need it.

Vice Chairman Wadsworth said you just as well as the other Councilmembers that sit there, himself included, when he is not chairing the meeting, they approve the agenda. That agenda item was added that night, can't help that if there is other discussion before they start the meeting with the approvals, object to it there. He voted no on items and have been overruled by everybody else's vote, that's democracy in action, it's not fair to sit here and complain about it to the crowd when that is what happened that night because it was added on the agenda and they approved it at this level.

Councilmember Davis said for clarification, for the record, if you look back at the minutes on that night, when this was discussed and the motion or the directive was made, it was also made to have the clinic director come back tonight and tell them what the plan was. That is why she is here, it wasn't to take a beating, it was to ask what the plan was.

Ms. Brown said the director just said she was supposed to be in attendance and she even asked the Tribal Secretary what is the action and what is the discussion.

Councilmember Davis said it was to ask what the plan was because they did comment that she had staff with you that said the exam rooms were filled with supplies and they said to switch them with the pods and move them out. If she needs help she needs to let them know.

Ms. Brown restated the directive which was to open by January 3rd and Council approved director to open its front door lobby by January 3rd to move the supplies out of the exam rooms and then also Council approved director for her to be in attendance, but she didn't know what she was coming for.

Leona Collins commented the clinic needs to be operational to take care of the membership. And she personally doesn't think that is happening right now. She had an appointment there and had to cancel, she called to cancel and left a recording/a message, name, number and everything, her appointment date and time, saying call her back to reschedule. A few days after that she gets an automated notice saying you have an appointment, press R to reschedule, three months later she has not had a call back. It's to a point where she is going to take herself out and get it done elsewhere and she shouldn't have to being a member here. That is her clinic.

Councilmember Ely said he just turned 60, will they open up the senior center up five days a week. Carla Eben, Numaga Director will open in January.

Norman Duncan stepped forward to make a \$300 cash donation for the youth and elder program. Tribal Secretary will mail him a receipt.

There was a short discussion about Mr. Duncan's interruption of the agenda.

8. Request for Approval for Councilmember Phoenix (Add Natalia Gonzales) to attend the Inter-Tribal Council of NV Annual Convention, Reno NV Dec 11-15, 2022 per Scholarship.

Councilmember Phoenix and Gonzales were requesting a letter authorizing them as Councilmembers to attend the ITCN Convention in Reno. The letter would be in place of paying the registration, it would be a scholarship offered by ITCN. Councilmember Phoenix was under the impression the scholarship was for the registration, he was not interested in lodging or travel.

Tribal Secretary said she emailed ITCN and Ms. Quintana, ITCN Director responded with a flyer for a scholarship for reimbursement for lodging and travel only, no mention of registration costs. She will follow-up with the registration costs but a copy of Tribal Council budget was provided to Council and there is funding that can be moved to accommodate the registration fees for Councilmembers who want to attend.

Councilmember Davis said she would like to add the Tribal Chairwoman attendance as a representative of the Tribe.

Councilmember Ely motioned to *approve the request for Councilmember Phoenix and Gonzales be provided a letter to ITCN for a scholarship to attend the ITCN Convention.* Seconded by Councilmember Dunn. Votes were six (6) **for** and zero (0) **opposed** with one (1) **abstention** (Gonzales). **MOTION PASSED**

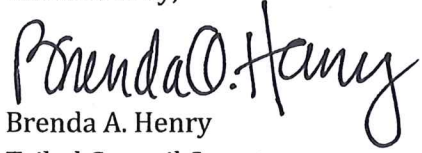
For those Councilmembers who may also want to attend forward names to Tribal Secretary by the following Monday.

ADJOURNMENT

With no further business before the Tribal Council, Councilmember Ely motioned to adjourn the meeting. Councilmember John seconded the motion. Votes taken were all in favor, **motion carried.**

The meeting adjourned at 9:28 p.m.

Submitted by,




Brenda A. Henry
Tribal Council Secretary

CERTIFICATION

The foregoing minutes were adopted by the Pyramid Lake Tribal Council, governing body of the Pyramid Lake Paiute Tribe, at a meeting duly held on the **16th** day of **December 2022**, having **ten (10)** members present, constituting a quorum, by the vote of **nine (9)** FOR and **zero (0)** OPPOSED, with **zero (0)** ABSTENTIONS.

Minutes attested and concurred by: _____



Janet Davis, Tribal Chairwoman
Pyramid Lake Paiute Tribal Council

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